

Select Board Regular Meeting
Monday, August 17, 2020 - 7:00 p.m.
REMOTE

Arrangements for remote participation by Select Board members and members of the public were made in accordance with Governor Baker's Emergency Order Modifying the State's Open Meeting Law. Participation in this meeting was done remotely via Zoom.

Select Board Present via Zoom: Chair Thomas Lachiusa, Marc Strange, Steven Marantz, Mark Gold, Richard Foster

Also Present via Zoom: Town Manager Lyn Simmons, CFO Paul Pasterczyk, Debbie House, Supt. Marty O'Shea, Bronwyn Monahan, Roman Berman, David Martel, Peter LaPointe, Atty. Jeffrey Roberts, Frank Colaccino, Peter Thurber, Atty. Jesse Belcher-Timme, Liz Bone, Martin Hernandez, Peter Landon, Cheryl Cudnik

The meeting was called to order at 7:00 p.m. by Chair Thomas Lachiusa. Due to COVID-19 concerns, and the Governor's executive order, and changes to Open Meeting Law remote participation, this meeting was held remotely with residents having the option of calling in or sending in their comments. All votes were taken by roll call. LCTV was also utilized to broadcast and record the meeting.

Chair Lachiusa confirmed that all members and persons anticipated on the agenda were present and could hear and be heard throughout the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting allowed for public comment.

COVID-19 Update – Ms. Simmons gave the update.

There are currently 2 active cases in the community. We have been receiving complaints about the basketball courts where people are playing without masks and not social distancing. Signs have been put up at the courts but have not worked. The Board of Health is meeting tonight to address this. The Adult Center will remain closed except for early voting and the two elections. Daycare will not open this fall.

Announcements

1. Vote by Mail Update – the ballots for the September 1st State Primary Election continue to be mailed out. The deadline to apply for a ballot is August 27th. The deadline to return the ballot is 8:00 p.m. on Election Day, September 1. Ballots can be mailed back postage free or dropped off at the Town Hall in the drop box at the front door.
2. Voting Location Change – The polling location for both the September 1 and November 3 elections will be Greenwood Center, 231 Maple Road. A town wide call will be sent out to notify residents. Early Voting will be held August 22 – 28 at Greenwood Center. More information and hours can be found on the town website, longmeadow.org.

Longmeadow Public Schools Reopening Plan – Superintendent Dr. Marty O'Shea and School Committee Vice Chair Bronwyn Monahan attended the meeting.

The School Committee voted on August 6 to use a phased in hybrid model. Half of the students will attend in person on Monday and Tuesday, and the other half would attend in person on Thursday and Friday. On Wednesdays all students will be learning remotely. When some of the students are home they can access online the learning that the in person students are doing in real time. Full day pre-K and intensive education needs will be offered. Elementary schools will start remotely on September 14-18, and in person on the 21st. Middle schools will start remotely on September 14-25, and in person on the 29th. The high school will start remotely on September 14-October 2, and in person on October 5. This approach is subject to ongoing and continual review. We will move to a more restrictive model if contingencies are not met (adequate staffing, 6' distance maintained, adequate PPE supply, attentive to facility issues). Facilities Director Nick Georgantas has assessed

and upgraded the ventilation systems where necessary. Not all schools are air conditioned. Windows will be opened to maximize fresh air exchanges for the fall. Tents may be set up for some outdoor opportunities. This will be reassessed as we head toward cooler weather. Everything will be reviewed on an on-going basis. Some parents may not want their children attending in person, they can do all remote and join the in person groups at any time. The in person students can also choose to stay at home anytime and be with an all remote learning group.

Residents Comments

1. Liz Bone, 34 Elizabeth Circle was a member of the Charter Review Committee. The Committee started in 2017 and worked for over a year going line by line reviewing the Town Charter. The Committee members all came to the same conclusion, that the current form of government works for Longmeadow and gives residents a say. They reached out to all committees in town and also invited the Select Board to give input. The Select Board decided they would wait and review the recommendations once the Committee was done.
2. Martin Hernandez, 299 Maple Road wanted to introduce the group LARC an anti-racist coalition to the Select Board. The group is composed of about 330 residents. Their mission to dismantle the structures that have caused and perpetuated systemic racism in our town and replace them with systems that encourage and sustain demonstrable diversity and equality. Mr. Hernandez also expressed his interest in being a member of the Racism as a Public Health Crisis working group that is being formed. Mr. Hernandez is very appreciative of the Select Board taking the steps to create the Racism as a Public Health Crisis resolution. There is a Facebook page for LARC for anyone who is interested.
3. Peter Landon, 5 Meadowbrook Road was on the Charter Review Committee and the original Charter Commission. When he was part of the Charter Review Committee he submitted a minority report. Mr. Landon believes there is great potential to improve the efficiency of our decision making.

Select Board Comments

1. Mr. Gold would like to have a discussion to look at the residents impacted financially by COVID-19 to see how the town can help out.
2. Mr. Lachiusa mentioned that the 100th anniversary of the 19th Amendment is in August, and it is also the birthday of Susan B. Anthony.

Interview for Conservation Commission – Roman Berman, 69 Canterbury Lane, applied for a position on the Conservation Commission. There are 2 vacant one-year associate positions on the Commission. Mr. Berman is an Energy Efficiency Specialist and would like to become involved. Mr. Gold suggested contacting Al Laakso, the Chair of the Conservation Commission. Mr. Laakso is a great resource.

Town Manager's Report

1. We have limited DPW crews for storm clean up right now. Northern Tree was contracted to help the town but has now had to move on to Connecticut. The DPW wood chipper was down for several days while waiting for parts. Equipment was rented from Northern Tree to continue cleanup. If a cleanup is scheduled, it will only include tree branches with a diameter of 6" or more. All smaller debris or small piles of yard waste will need to be disposed of by the homeowner. A clear plan needs to be developed on the expectations of residents and the town related to storm debris cleanup.
2. The Building Department now has an online permitting software program where residents can go online to apply for permits for fences, accessory structures, building, plumbing, electrical and mechanical. Online payments will start in a few weeks.
3. The Knollwood sidewalk project is substantially complete.
4. The Wolf Swamp Fields renovation project has gone out to bid, responses are due by August 20.
5. The second phase of the LED streetlight conversion project is substantially complete. Contact the DPW office if any streetlight issues are noticed.

6. WESTCOMM received a \$2.6 million development grant and a \$2.3 million support and incentive grant. The development grant is for the renovation of a new facility.
7. The Morningside Drive culvert replacement project should start the first week of September with the contractor Aqua Line Utility, Inc. and DPC Consulting. The installation of erosion and sedimentation controls may begin sooner.
8. A Municipal Energy Technical Assistance (META) Grant will be submitted to Green Communities for funding for a feasibility analysis, conceptual level clean energy plan and high level business case for a contemplated community shared solar project at the old DPW location.
9. The decommissioned WWII Memorial at Town Hall was removed as part of an Eagle Scout project. The flagpole will remain and the area will be restored with plantings.
10. There was a fire at the Recycling Center on Sunday evening. This will be the last week for extended days and hours. Next week a town-wide cleanup will Monday, August 24. Ms. Simmons would like a discussion soon on a policy or plan for budgeting for town-wide cleanups since the number of storms have been increasing.

Old Business

1. Approved Minutes – *Mr. Strange made the motion to approve the regular meeting minutes from August 3, 2020 as presented. Mr. Gold seconded the motion.*
Roll Call Vote: Mr. Lachiusa-YES, Mr. Strange-YES, Mr. Marantz-YES, Mr. Gold-YES, Mr. Foster-YES
Mr. Marantz made the motion to approve the special meeting minutes from August 7, 2020 as presented.
Mr. Strange seconded the motion.
Roll Call Vote: Mr. Lachiusa-YES, Mr. Strange-YES, Mr. Marantz-YES, Mr. Gold-YES, Mr. Foster-YES
2. Liaison Assignments – tabled to the next meeting
3. Charter Discussion – Mr. Foster brought this issue up and suggested the Board research and read up on other types of government. He added that he wished he had been invited to speak with the Charter Review Committee when they were reviewing the Charter. Peter Landon, a Charter Review Committee member submitted a minority report which is similar to what Mr. Foster believes. Some problems with the current form of government and Town Meetings are: less turnout than in past years, not enough room for all to attend if they wanted to, seniors may have problems attending, parents with young children may have problems attending, set up is not good for debate. Mr. Foster believes we need to understand the options and different forms of government. There are better opportunities for citizens to be heard. There is a very small percentage of residents making decisions. Mr. Gold added that Mr. Foster identified areas of frustration. The minority can drive a decision. Mr. Strange is comfortable with Town Meeting and thinks we should keep it. He also feels we should prioritize adopting the recommendations from the Charter Review Committee. Mr. Marantz agrees with Mr. Foster and feels we have too much on our plate now. We do not have the room for all residents to attend and vote at Town Meetings. Mr. Lachiusa received several letters supporting Town Meeting and feels it is important for leadership development.
4. Racism as a Public Health Crisis Working Group – Ms. Simmons will be assembling a task force to address racial injustices. The task force will be made up of 9 Longmeadow residents with demonstrated interest, experience, or expertise in the issues under review, especially Black, Indigenous, People of Color, or people from other historically marginalized communities. The task force will discuss, research, gather data, and report to the Select Board on steps the Town can take to reshape the discourse and actively engage all citizens in the dedicated work necessary to address the scourge of systematic racism, recommend alliances with organizations that are confronting racism and how those alliances can benefit the community, identify methods or areas to promote racially equitable hiring and promotion of all employees, including Town employees, and advocate for and draft relevant policies that recognize and seek to mitigate the adverse impacts of racism. This will be a Select Board task force. Interested residents can submit a letter or email to the Town Manager. The Select Board will interview applicants on the second meeting in September.

Mr. Strange made the motion to accept the Town Manager's guidance letter for creating the Longmeadow coalition for racial justice with the change that residents can submit a letter or email to the Town Manager by September 14.

Mr. Gold seconded the motion.

Roll Call Vote: Mr. Lachiusa-YES, Mr. Strange-YES, Mr. Marantz-YES, Mr. Gold-YES, Mr. Foster-YES

5. Overhead Wires Policy Discussion – tabled to the next meeting

New Business

1. Colvest Agreement for Longmeadow Street – Peter LaPointe, Frank Colaccino, and Atty. Jeffrey Roberts attended the meeting. Colvest submitted a draft agreement for upgrading the parking area in front of their building and the driveway going out on to Bliss Road and Longmeadow Street. This is town property. Ms. Simmons and Atty. Belcher-Timme reviewed the agreement, Atty. Belcher-Timme noted that the agreement is acceptable. The parking area is a public way. Work on town property is the Select Board's jurisdiction. Colvest would like to redesign and improve the parking area and street access. The number of parking spaces will be increased. There will be no expense to the town. The town will lose some green space, the bus stop will stay, and the town will lose 1-2 shade trees. Colvest offered to replace the trees by planting 1-2 new trees wherever the town would like them. The retaining wall will be rebuilt in the same spot. Colvest went before the Planning Board back in 2017 for signage, there will be no change in use and no external renovations. Mr. Gold noted that the parking lot will remain town property and public parking. He did not like the fact that we will be losing green space. The Town Engineer reviewed the plans, the Fire Department has not. The intersection (Bliss Road and Longmeadow Street) is part of a future TIP project, the street will be widened and bike lanes will be added. Colvest is willing to go to the expense of making the changes now. There is a clause in section 4 of the agreement that states the area may be part of a redesign of the intersection in the future and that the town will use its best efforts to preserve the modifications to access and parking on town property that are developed under the agreement. Colvest accepts the risk and the town will not be liable in any way. There is a clause in section 8 of the agreement stating that a performance bond will be obtained by Colvest in a form satisfactory to the town. Colvest would like to put up a letter of credit if this is suitable to the town for collateral. Walter Gunn from the Planning Board was in the meeting and noted that Colvest did go to the Planning Board in 2017 for signage. The bigger issue was the redesign of the driveway and emergency services getting in and out of the area. The former Town Manager had asked for more improvements that were not on the site. The project was then dropped and brought back now.
Mr. Gold made the motion to authorize the Town Manager to enter into an agreement with Colvest Realty for the improvement of town property contingent upon adding the requirement that Colvest Realty replace two shade trees somewhere in town that is in agreement with the town Tree Warden.
Mr. Strange seconded the motion.
Discussion: Mr. Marantz wanted to make it clear that the town would have zero liability at all times. Atty. Belcher-Timme explained that the town would be reasonably obligated to protect the Colvest changes against the state project. Mr. Gold feels we should have no liability.
Mr. Marantz made an amendment to strike the clause in section 4 of the agreement that requires the town to use its best efforts to preserve the modifications to access and parking on the town property that are developed under the agreement.
Mr. Strange believes this is just a statement of good will and doesn't obligate the town to anything.
Mr. Gold seconded Mr. Marantz's amendment.
Vote on Mr. Marantz's amendment: Mr. Lachiusa-No, Mr. Strange-No, Mr. Marantz-Yes, Mr. Gold-Yes, Mr. Foster-No
Mr. Marantz's amendment FAILED
Mr. Gold made an amendment to allow the Town Manager to authorize an alternate method of assuring completion of the project than a bond.
Mr. Foster seconded Mr. Gold's amendment

Vote on Mr. Gold's amendment: Mr. Lachususa-yes, Mr. Strange-yes, Mr. Marantz-yes, Mr. Gold-yes, Mr. Foster-yes

Mr. Gold's amendment PASSED

Vote on the original motion: Mr. Lachususa-yes, Mr. Strange-yes, Mr. Marantz-No, Mr. Gold-yes, Mr. Foster-yes

The original motion PASSED

2. Change of Address Requests

Resident Gerard Nolet of 724 Frank Smith Road submitted a request for a change of street address due to confusion with his corner lot. His driveway and mailbox are on Wellesley Drive yet his address is Frank Smith Road. The Building Commissioner, Police Chief and Fire Chief had no issues with this change.

Mr. Marantz made the motion to approve the street address change request from 724 Frank Smith Road to 17 Wellesley Drive. Mr. Foster seconded the motion.

Roll Call Vote: Mr. Lachususa-present, Mr. Strange-yes, Mr. Marantz-yes, Mr. Gold-yes, Mr. Foster-yes

Resident Tony Tai of 38 Twinbrook Circle submitted a request for a change of address due to the fact that the house across from his is number 35 and he felt it made more sense to have number 36, also Mr. Tai felt it was good feng shui for his family. The Building Commissioner, Police Chief and Fire Chief had no issues with this change.

Mr. Gold made the motion to approve the address change request from 38 Twinbrook Circle to 36 Twinbrook Circle. Mr. Foster seconded the motion.

Roll Call Vote: Mr. Lachususa-yes, Mr. Strange-yes, Mr. Marantz-yes, Mr. Gold-yes, Mr. Foster-yes

3. Quarterly Investment Report – Cheryl Cudnik attended the meeting and read the quarterly report on the town's cash and investments for the period ending June 30, 2020. The town started using a lock box service with Century Bank for the FY2021 1st quarter real estate and personal property tax bills. Interest earned on all bond proceeds was \$54,750.16 and will be allocated into the general fund, water fund, and sewer fund. Investment income earned on the OPEB Pension Reserves Investment Fund was \$218,589.88. The town had three deposits to the State Retiree Benefits Trust Fund totaling \$3,086,500.72. The net decrease of \$2,565,405.24 in cash and investments for the quarter was a result in warrants payable and the teachers balloon payroll. DPW facility, COA Facility expenditures and debt payments alone totaled just over \$20 million.
4. Audit Correction Report – Mr. Pasterczyk addressed the Auditor's FY18 Management Letter issues. The Solid Waste/Recycling Enterprise Fund will be abandoned for FY22. This will be voted on at an upcoming Town Meeting. The Stormwater Enterprise Fund will be fully funded through user fees. The IT Department has initiated phishing awareness and training for staff. A MIIA grant was awarded for the purpose of network vulnerability detection. Munis backups are now performed daily to a remote device. Logs are automatically emailed to IT staff for daily review. Backups are tested regularly. A new password policy requiring greater complexity has been implemented. New network equipment is planned for segmentation to limit the spread of potential malware infection. The Student Activity Fund audit has been completed. Review of the Treasurer's bank reconciliations are done through March 2020. The remaining should be completed by late July.
The FY20 audit started onsite last week for 1 day, the auditors will be back in September. Mr. Gold noted that the IT Department has not adopted an oversight committee.
5. Columbia Gas Sale to Eversource – Ms. Simmons requested this be deferred to the Executive Session discussion.
6. Water Supply Discussion – Peter Thurber, the town's DPW Assistant Superintendent of Water and Wastewater attended the meeting. Springfield had a large water main break in the early morning after tropical storm Isiais, the town lost water supply. Our Water Department isolated the pump station which maintained the water in our water tower before it flowed back into Springfield. Power was restored at 4:00 a.m. and the pumps were turned back on to start filling up the tank at 9:00 a.m. after Springfield isolated their water main break and were able to supply us with water again. The pumps normally only

run during high irrigation demands and only in the early morning when irrigation systems are running. They do not run all day. The pumps are used to help fill the tank quicker during the summer months when high irrigation demands are needed. Pumps do not run September through May. This summer season has been very hot and dry and the pumps have been running every morning.

Mr. Gold questioned whether the town should have emergency generators to run the pumps during a power outage. Even though we had a storm and lost power, the problem with the lost water pressure was due to the large water main break in Springfield. Mr. Thurber explained that it would not have mattered if we had a generator because we were losing pressure from Springfield. For prolonged power outages, we have pressure reducer valves.

Mr. Foster made the motion to adjourn the regular meeting at 10:30 p.m. and enter into executive session in accordance with MGL Chapter 30A, Section 21(a) (3) to discuss strategy with regard to anticipated litigation relative to the new DPW facility, Pride Limited Partnership, and Gas related matters, discussion of which in open meeting may have a detrimental effect on the litigating position of the Town and the Chair so declares, not to reconvene in open session. Also, approve and vote on minutes from June 24, 2020 and July 6, 2020.

Mr. Marantz seconded the motion.

Roll Call Vote: Mr. Lachususa-YES, Mr. Strange-YES, Mr. Marantz-YES, Mr. Gold-YES, Mr. Foster-YES

Respectfully submitted,
Debbie House

Documents:

Agenda

Announcements Sheet 8/17/2020

Application from R. Berman

Town Manager's Report 8/17/20

Department July Reports

Draft Minutes 8/3/20 and 8/7/20

Liaison Chart

Forms of Local Government

Study on Structural Changes in Local Govt. in the Commonwealth of MA

Coalition for Racial Justice Draft

Overhead Wires Atty. Email 7/28/20

Colvest Agreement for Roadway Improvements and Maintenance Draft 7/15/20

Address Change Request Email 7/22/20 Tony Tai Twinbrook Circle

Address Change Request Email 7/28/20 Gerard Nolet Frank Smith Road

Investment Report ending 6/30/20

Audit Correction Report 6/30/20

Email 8/3/20 re: Columbia Gas sale to Eversource

Email 8/7/20 Water Supply Discussion – Mark Gold

Correspondence: Comcast Letter 7/31/20

D. Martel Letter 8/10/20

A. Miller 8/11/20

Executive Session Minutes 6/24/20 and 7/6/20